

## **PLANNING AND ZONING COMMISSION**

### **MEETING MINUTES**

**MARCH 12, 2015**

#### **AGENDA**

- 1. COTA Park and Ride Relocation  
15-006CU** **Emerald Parkway & Bright Road  
Conditional Use (Postponed)**
- 2. Sycamore Ridge Park Rezoning  
15-011Z** **6720 Riverside Drive  
Standard District Rezoning (Approved 6 – 0)**
- 3. BSD Residential District – Tuller Flats  
15-012BSD-DP/SP** **4313 Tuller Road  
Bridge Street District-Development Plan/Site Plan  
Development Plan (Approved 6 – 0)  
Site Plan Waivers (Approved 6 – 0)  
Site Plan (Approved 6 – 0)**
- 4. BSD Residential District – Tuller Flats  
15-013PP/FP** **4313 Tuller Road  
Preliminary Plat/Final Plat (Approved 6 – 0)**

The Chair, Victoria Newell, called the meeting to order at 6:33 p.m. and led the Pledge of Allegiance. Other Commission members present were: City Council Representative Amy Salay, Todd Zimmerman, Robert Miller, Deborah Mitchell, and Christopher Brown. Cathy De Rosa was absent. City representatives present were: Claudia Husak, Gary Gunderman, Philip Hartmann, Alan Perkins, Joanne Shelly, Jennifer Rauch, Rachel Ray, Devayani Puranik, Aaron Stanford, Kyle Kridler, and Flora Rogers.

#### **Administrative Business**

##### **Motion and Vote**

Ms. Newell moved, Mr. Zimmerman seconded, to accept the documents into the record. The vote was as follows: Ms. Mitchell, yes; Mr. Miller, yes; Mr. Brown, yes; Ms. Newell, yes; Mr. Zimmerman, yes; and Ms. Salay, yes. (Approved 6 - 0)

The Chair said there were two cases eligible for the consent agenda this evening: Sycamore Ridge Park and Tuller Flats. She briefly explained the rules and procedures of the Planning and Zoning Commission. She pointed out that the application for COTA Conditional Use was postponed prior to the meeting. The Chair decided the order of the cases would be heard as presented on the agenda.

##### **Motion and Vote**

Ms. Salay moved, Mr. Zimmerman seconded, to approve the meeting minutes from February 5, 2015, as presented. The vote was as follows: Ms. Newell, yes; Mr. Miller, yes; Ms. Mitchell, yes; Mr. Brown, yes; Mr. Zimmerman, yes; and Ms. Salay, yes. (Approved 6 – 0)

**2. Sycamore Ridge Park  
15-011Z**

**6720 Riverside Drive  
Standard District Rezoning**

The Chair, Ms. Newell, said the following application is a request for a rezoning from BSC Public District to BSD Residential District for an approximately 3.5-acre site at the east side of Tuller Ridge Drive between Tuller Drive and Rush Street. She said the Commission will make a recommendation to City Council on this request.

Jennifer Rauch said approval is recommended.

The Chair invited the public to speak with regard to this application. [Hearing none.]

**Motion and Vote**

Ms. Newell moved, Mr. Zimmerman seconded, to recommend approval of a Standard District Rezoning to be forwarded to City Council. The vote was as follows: Ms. Mitchell, yes; Ms. Salay, yes; Mr. Brown, yes; Mr. Miller, yes; Mr. Zimmerman, yes; and Ms. Newell, yes. (Approved 6 – 0)

**3. BSD Residential District – Tuller Flats  
15-012BSD-DP/SP**

**4313 Tuller Road  
Bridge Street District-Development Plan/Site Plan**

The Chair, Ms. Newell, said the following application is for a multiple-family residential development consisting of 420 apartment units within 29 three-story apartment buildings, a community clubhouse, and associated streets and open spaces on approximately 3.5 acres of open spaces south of Tuller Road, east of the intersection with Tuller Ridge Drive. She said the site is zoned BSD-R, Bridge Street District Residential District. She said this is a request for review and approval of a combined Development Plan and a Site Plan Review application. She said the Commission is the final authority on this entire application.

The Chair swore in anyone intending on addressing the Commission on this application.

Joanne Shelly said there are 15 projects being considered in the Bridge Street District, some private developer projects and some City projects. She presented the list that corresponded with the map and noted the location of this site. She said this project consists of 21 acres, 29 residential apartment buildings, and two open space types. She explained the property consists of land owned by the developer and land owned by the City. She said there has been land exchanged under the development agreement so the City would have the opportunity to create parcels for the greenway and John Shields Parkway.

Ms. Shelly recapped the Basic Development and Basic Site Plans that were previously approved by the Planning and Zoning Commission (PZC). She said the Block Length Waiver was disapproved and as a result, Graham Street was created. She said plans were approved with three conditions each:

*Basic Development Plan*

- 1) Street section for McCune is to be revised to a neighborhood street
- 2) Applicant work with Staff regarding placement of buildings and open space
- 3) Applicant address Engineering comments

*Basic Site Plan*

- 1) Plans be revised to incorporate stormwater management details
- 2) Applicant address Engineering comments
- 3) Applicant work with Staff regarding placement of buildings and open space

Ms. Shelly reiterated the application review procedure for this evening. She said the proposal for development also includes the rezoning of the land exchanged under the development agreement from BSD-Public to BSD-Residential and the Preliminary & Final Plat were to complete the dedication of public rights-of-way, public streets, open space and greenway. She said four actions will be required by the PZC: 1) Development Plan Review; 2) Site Plan Waiver Review; 3) Site Plan Alternative Material Review; and 4) Site Plan Review.

Ms. Shelly explained that the ART reviewed all the requirements in the Code and based on the ART's analysis, she provided an overview of items deemed important to the issues with Waivers and Conditions that were being presented this evening.

Ms. Shelly provided an overview of the application. She stated there are two types of land use, Private – Residential and Public – Open Space. She said the parking associated with the residential units include public on-street parking, private service street or motor court parking, bicycle parking, and ADA parking. She said the applicant is required to provide 484 spaces and two-thirds of those are in the garages and the rest are in the motor courts, which is a good mix. She said additional parking has been provided on the public streets and bicycle parking has been both in the private garages and at public locations throughout the site. She presented a color-coded slide that showed the locations of each.

Ms. Shelly said the street families in the BSD Street Network have been identified. She presented a map of the Corridor Connector Streets, District Connector Streets, Neighborhood Streets, and Alley/Service Streets. She said in addition, Principal Frontage Streets were identified. She stated that the Bicycle/Pedestrian Network was also part of the BSD Street Network plan. She said it is on the greenway, and passes through this site. She presented the grid showing District Streets: Tuller Ridge Drive and John Shields Parkway; and the Neighborhood Streets, which are named Watson Street, Deardorff Street, McCune Avenue, and Graham Street; and the service streets. She indicated that Hobbs Landing has been a street under consideration and will be constructed during later phases of development but will impact some of tonight's conditions. She said Graham was created because that is what Code requires of block length; however, the block length exceeds the 400-foot requirement so the applicant is also required to create a mid-block pedestrianway and she noted that location. She said the applicant has provided additional mid-block pedestrianways that are auxiliary but they meet the dimension requirements and create a more walkable environment for this community.

Ms. Shelly presented the map for utilities. She noted that the applicant has addressed all of the Engineering comments and worked with Staff to include permeable pavers as part of their stormwater quality control plan.

Ms. Shelly said the applicant was asked to address Fire Marshal comments as well so she presented the significant number of Fire Department Connections (FDC) and the fire access roads. She explained that service streets were considered fire access roads and additionally, parking is not permitted on McCune until such time that Hobbs Landing is built. She noted the various streets to be kept clear to ensure a clear path of travel for the fire equipment.

Ms. Shelly presented the Open Space context on a map, which showed that Tuller Flats is providing 1.8 acres of open space. She said the greenway with this project provides 1.3 acres with an additional acre of open space as it heads towards Sawmill Road. She said there are 4.5 acres in Sycamore Ridge, 1.38 acres in Greystone Mews, and 12 acres on Riverside Drive/Scioto Park. She summarized there is a 5-minute walk to an open space and a 15-minute walk to reach the Scioto River, which is a great opportunity for the development and the City.

Ms. Shelly said the applicant has provided some contextual renderings to demonstrate the street character and how the architectural diversity will contribute to that character established by the streetscape and greenway.

Ms. Shelly explained that there are 29 buildings. She indicated there are buildings similar in character and three different distinct building types with variations on a theme with four material palettes spread out across the building types.

Ms. Shelly presented the proposed elevations of the single-story clubhouse with a strong vertical element to better relate to the taller structures around the square. She presented the different building types as they would be seen going down the street to show the variety of building type adjacencies. She compared building facades on John Shields Parkway, Watson Street, and Deardorff Street to emphasize variety of rhythm on the street. She presented additional renderings from different street views.

Ms. Shelly invited the applicant to present to the Commission.

Aaron Underhill, 8000 Walton Parkway, Suite 260, New Albany, Ohio, said he was the attorney for the applicant. He introduced Joe Sullivan, the architect, and representatives from Casto and EMH&T to answer any questions the Commission may have.

Mr. Underhill said the BSD is a grand vision and one that is extremely difficult to implement in the real world but in the end will be worth the effort, time, and resources that have been invested. He complimented the City Staff for their hard work throughout the process. He said they now have an overall Site Plan, architecture, and project that will be the most unique and the best quality of any multi-family project in Central Ohio. He said the residential development will drive future commercial development and the mixed-uses that are desired in Dublin. He said he hopes this is a model for what is up next for the BSD.

Mr. Underhill said the applicant has respected the Street Network, the BSD Code and Vision Plan, provided for a large central open space in consultation with City Staff, and met the urban setting architecturally.

Mr. Underhill said the land was owned by the Thomas family and zoned for multi-family residential uses, etc. He said a lot has been discovered along the way of forwarding this project. He said it has taken 18 months thus far and this is the ninth public meeting and that does not take into account the numerous other meetings the applicant has had with Staff and the Administrative Review Team. He said there have been a lot of infrastructure needs so they have gone before City Council several times.

Mr. Underhill said the Staff Report is rather lengthy and it is boiled down to the essentials. He indicated he has learned that Form-Based Code is different from a PUD so there are a lot of moving parts. He said a number of Waivers have been requested because the applicant is trying to comply with an 127-page Zoning Code as opposed to writing their own variances.

Mr. Underhill said the majority of Waivers are technical in nature. He indicated they are not deviating a great extent from the Code Standards. He said there are more substantive Waivers, two have to do with alternate materials and lastly a Waiver relating to the percentage of primary materials used on each side of the building. He said the applicant is withdrawing the first two requests for the alternative material Waivers. He said the applicant agrees to use cementitious siding because they were not able to submit examples of where these materials have been used in the real world as it is so new, therefore, not able to meet Code requirements. He said they agree to also use aluminum windows.

Mr. Underhill provided an overview of the different stages of their progress and mentioned the changes and transformations that have been made along the way. He said the Site Plan is very consistent with what the Basic Plan approval entailed. He said the Waiver they are requesting for primary materials where 80% is the requirement of masonry materials, the applicant would like a little bit of leeway on that in order to create the diversity desired. He said the applicant has submitted an analysis: while individual

facades in certain circumstances may not meet the 80% requirement, overall for the project ±78.7% has been met of the facades using primary materials. He said the spirit and intent of what the City is trying to go for in that standard has been met. He said that 20% is hard to objectify architecture and design so consideration is being requested. He said the applicant was told that if they presented good design, this Code requirement should not be an issue. He concluded they are very proud of this project.

Vicki Newell asked about the ADA access Waiver spread across all of the buildings. She asked if the elevation was lowered across the entire building or if it was just at select units within those buildings.

Joe Sullivan, Sullivan Bruck Architects, 308 S. Fourth Street, Columbus, Ohio, said the applicant has a variety of buildings but two different diagrams and building types. He said one is a three-story stacked flats type garden unit with parking in the rear of those buildings. He said 100% of the first floor of those units needs to be accessible and distributed throughout the project. He said a second building type has a townhouse with a garden flat on top and the townhouse by nature is not an accessible unit so its entry can be elevated 2.5 feet above the sidewalk. He said the garden buildings cannot and still maintain their accessibility. He said that is the reason for that technical Waiver request. He said the higher traffic areas have the higher elevations for entry and the garden units were positioned to more internal areas that have less traffic.

Ms. Shelly reiterated the actions required of the PZC this evening:

- 1) Consideration of approval for the Development Plan, including the condition, based on the review criteria of §153.066(E)(3) for Development Plan Review
- 2) Consideration of approval for the Site Plan Waivers
- 3) Consideration of approval of the alternative materials, based on the review criteria of §153.02(E)(1)(c) for permitted building materials

Ms. Shelly said the third action would be removed because the applicant has withdrawn the request for alternate materials.

- 4) Consideration of approval for the Site Plan, including the 9 conditions, based on the review criteria of §153.066(F)(3) for Site Plan Review

Ms. Shelly said the Development Plan is recommended for approval by the ART with one condition:

- 1) That the Infrastructure Agreement shall be fully executed prior to approval of building permits.

Ms. Shelly said Site Plan Waivers have the following four criteria, which must be met for consideration of approval:

- a) Request is caused by unique site, use or other circumstances
- b) Not requested solely to reduce cost or as a matter of general convenience
- c) Request does not authorize any use or open space type not permitted in the District
- d) Request will ensure that the development is of equal or greater development quality

Ms. Shelly explained the ART's evaluation of the requested Waivers for this proposal was conducted in two areas. She said the first were Waivers that were generally determined to be the result of unavoidable or unalterable site conditions or Code requirements that created conflicting conditions. The second she said were Waivers that were more design related and were requested due to issues with the design of certain buildings.

Ms. Shelly began with Waivers related to site/Code conditions:

1. §153.062(O)(3) 1. Building types, Apartment Buildings, Street Frontage: request for a Waiver for block G and Building 22, due to an existing utility easement along Tuller Ridge Drive.
  - Front Property Line Coverage: minimum 75%
  - Occupation of Corner - required
  - Front RBZ = 5 feet - 20 feet
  - Side RBZ = 5 feet - 20 feet
2. §153.062(O)(3) 1. Building types, Apartment Buildings, Street Frontage: request for a Waiver for block E and Building 11, due to the existing Tuller Ridge Drive angle of deviation at this location.
  - Front Property Line Coverage: minimum 75% - 66% provided (with Building 10)
  - Occupation of Corner - required
  - Front RBZ = 5 feet - 20 feet
  - Side RBZ = 5 feet - 20 feet

Ms. Shelly explained the property lines are on John Shields Parkway and Tuller Ridge Drive. She said approval is recommended based on the site condition.

3. §153.061(D)(1)(b) Principal Frontage Streets: Watson and Deardorff Street and McCune Avenue are designated as Principal Frontage Streets (PFS) where they are adjacent to the open space Square.

The following Waivers are requested based on this designation.

§153.062(O)(3) Building type - Apartment Buildings for Blocks B, C & F

- a. Waive the Front Property Line Coverage percentage requirement for Buildings. 3, 4, 6, 8, 16, 20 & 21
- b. Waive the required number of building entrances on PFS, as side elevation does not have entries, Buildings. 4, 6, 8, 16 & 20, §153.062(F)(1)
- c. Allow accessory structures along a PFS where the lot is required to be occupied by a principal building, §153.062(B)(3)

Ms. Salay asked if there were renderings showing Block F. Mr. Sullivan said a rendering providing that view was not included in this packet. Ms. Shelly referred to an earlier slide where she showed comparisons of building facades on John Shields Parkway, Watson Street, and Deardorff Street to emphasize variety of rhythm on the street.

Chris Brown indicated Ms. Salay had some earlier concerns about parapets.

Ms. Shelly stated that she had a diagram to review as part of the review of the parapet Waiver and believed Ms. Salay's questions could be deferred and be addressed at that time in the presentation.

Ms. Salay said the elevations tonight look different and not in a good way and she thought maybe the parapets were the issue.

Ms. Shelly continued with Waivers related to site/Code conditions:

4. §153.062(O)(3) Minimum Finish Floor Elevation, 2.5 feet above adjacent walk required.

A request to waive the elevation requirement so that the ADA accessible units can meet ADA accessibility requirements.

a. Buildings Type A, B, C, D, E, F, H & J.

5. §153.062(O)(3). Building Types, Apartment buildings – number of street façade entrances required 1 per 75 linear feet of façade where the building's side elevation faces street.  
1 required - 0 provided.

- a. Building Type A, Buildings 1, 4 & 23
- b. Building Type B, Buildings 9, 11, 19, & 28
- c. Building Type C, Buildings 5, 10, 20, 22, 24 & 27
- d. Building Type D, Buildings 3 & 30
- e. Building Type E, Buildings 6, 14 & 17
- f. Building Type F, Buildings 2, 25, & 29
- g. Building Type G, Buildings 8, 13, & 16

Ms. Shelly explained the Waivers related to design elements:

- 1. §153.062(C) Building Types: Waiver for the height of the parapets drops below the 2 foot minimum in multiple locations.  
*ART Recommendation: Approval; based on supporting statements by Architect, additional documents demonstrating compliance will be provided.*
- 2. §153.062(C) Building Types: Waiver for parapets that do not wrap all corners and are not continuous along all portions of the roofline.  
*ART Recommendation: Approval; based on supporting statements by Architect, additional documents demonstrating compliance will be provided.*

Mr. Sullivan explained that some building types did not have rooftop equipment and building slopes from the street side to the rear side so the stormwater could drain.

Ms. Newell inquired about the conditions for the buildings that do not have rooftop equipment. Mr. Sullivan explained those buildings have units that vent onto the balcony spaces on the rear of the townhouses so they are not visible on the external façade. Ms. Newell requested to see the locations of such conditions.

Ms. Salay inquired about the pictures on the City's website and compared them to this evening's elevations and she was concerned that the change was not for the better. She said she is concerned about what was previously presented to Council.

Ms. Newell said she liked the way the buildings look now.

Mr. Brown said he was not concerned about the absence of parapets if there was no rooftop equipment. He asked if there was anywhere that there should be a return of a roof; if there were any unresolved corners that terminate in an odd fashion.

Ms. Shelly stated that the applicant had submitted revised plans to update the unresolved corners and that any additional issues would be conditioned to be addressed through building permitting.

Mr. Sullivan said he had agreed with Staff. Ms. Shelly said that was one of the conditions.

Ms. Shelly continued her explanations of the Waivers related to design elements:

3. §153.062(E)(2) Transition of Materials: Waiver for locations at an inside corner of rear elevations of A, B, C building types.

*ART Recommendation: Approval; based on supporting statements by Architect, additional documents demonstrating compliance will be provided.*

Ms. Salay inquired about the material used on the balcony floor and was concerned if the balconies would be finished on the bottom. Mr. Sullivan said the balconies would be constructed of wood and the intent was not to make it a waterproof condition but the surface will be finished. Ms. Salay asked Staff if they were comfortable with the applicant's proposal for balconies. Ms. Shelly said Staff will work with the applicant.

Mr. Brown confirmed the applicant was using cementitious siding instead of the Boral material. Mr. Sullivan said the applicant was still interested in Boral but were not able to secure enough documentation of installation longevity to go to the next level of getting that alternative material approved. Ms. Newell said the product had not been on the market prior to 2014. Mr. Brown said the devil was in the details for cementitious siding. He said he hopes there is oversight of the installation. Mr. Sullivan offered to show the Commission pictures of cementitious material that his company has used on several projects after the presentation. Ms. Salay said she was interested.

Ms. Shelly continued her explanations of the Waivers related to design elements:

4. §153.062(I)(1)(a) Building Types, Balconies, porches, stoops & chimneys  
Waiver for required balcony depths of 6 feet.

Ms. Shelly explained that because all the units with balconies have sliding glass doors, they exceed the width requirement of five feet. She said this means that the provided square footage on the balcony meets the intent of the Code to provide adequate spacing for chairs, a table and circulation.

5. §153.062(O)(3) 20-foot depth minimum occupied space required on ground story facing a street.  
Waiver for Building Types A, B, C, D, F & J where a garage occupies the rear portion of the unit at the ground story occupied space cannot be accommodated.

Ms. Salay inquired about kitchen windows and asked if the windows should be wider. Ms. Newell said she thought it would help that elevation.

Mr. Sullivan said the downside would be that cabinet space would be lost. He indicated the apartment dwellers would prefer cabinet space to a wider window. He noted there is still a pleasing façade as it is relatively short.

Todd Zimmerman inquired about the actual window dimensions. Mr. Sullivan answered three feet wide by four feet high. Mr. Zimmerman said a typical window is 36 inches by 36 inches.

Ms. Salay indicated the window might be okay from the inside but from the outside she was not so sure. She said these would be highly visible from John Shields Parkway and the greenspace.

Mr. Sullivan said the applicant has counterbalanced the corners, which are virtually all glass with a wall that has some solidity to it to balance the façade. He said the balcony challenges this end of the elevation.

Mr. Brown said the façade is balanced.



Ms. Shelly continued her explanations of the Waivers related to design elements:

6. §153.062(O)(3). Building Types, Apartment buildings – Street Facing transparency - minimum 20%.  
Building Type A, Buildings 1, 4 & 23; side elevation  
Building Type B, Buildings 9, 11, 19, & 28; side elevation  
Building Type C, Buildings 5,10, 20, 22, 24, 27; side elevation (3rd story)
7. §153.062(O)(3). Building Types, Apartment buildings - Non-street façade transparency- minimum 15%.  
Building Type A, Buildings 1, 4 & 23; rear elevation, 1st story (garage)  
Building Type D, Buildings 3 & 30; rear elevation, 1st story (garage)  
Building Type F, Buildings 2, 25 & 29; rear elevation (1st story) (garage)  
Building Type H, Buildings 12, 21 & 26 (1st story) (garage)  
Building Type J, Buildings 15 & 18; rear elevation (1st story) (garage)

Ms. Shelly confirmed that all the garages face the motor courts.

8. §153.062(O)(3). Building Types, Apartment buildings – Vertical increments required no greater than every 40 feet – exceeds maximum distance.  
Waiver for vertical façade division; facade is interrupted by the entry and canopy but not a permitted vertical façade division type.  
Building Type C, Buildings 5,10, 20, 22, 24, 27; front elevation

Ms. Salay asked what material the steps were made of. Ms. Shelly answered concrete and continued her explanations of the Waivers related to design elements:

9. §153.062(O)(3). Building Types, Apartment buildings – parking for Apartment type buildings limited to the rear yard, not permitted in the RBZ.  
Waiver for parking located along the service street entries at  
Buildings 2, 3, 6, 8, 15 & 20

Ms. Shelly said because the applicant had withdrawn both requests for consideration of alternative materials, there was one additional Waiver:

10. §153.062(O)(3). Building Types, Apartment buildings – Minimum primary façade material 80%
  - a. Building Type A, Buildings 1, 4 & 23; front; side & rear elevations
  - b. Building Type B, Buildings 9, 11, 19, & 28; front & rear elevations
  - c. Building Type C, Buildings 5,10, 20, 22, 24, 27; rear elevation
  - d. Building Type E, Buildings 6, 14 & 17; front, side(s) & rear elevations
  - e. Building Type H, Buildings 12, 21 & 26; front, side & rear elevations

Ms. Shelly reiterated the intent of the Code was to create diversity and achieve building variety. She noted on the slide the buildings where over 80% of the façade is primary materials and she noted the buildings that were under the 80% requirement. She referred to a table in the Commission's packet that showed the actual percentages that vary but there is a rhythm. She said the buildings that are under the 80% also have cementitious siding. She said the ART believes the quality of materials has not been lost on these buildings.

Ms. Newell clarified that the applicant withdrew the request for using the Flyash siding so for all of the materials the applicant used cementitious siding in combination with the brick.

Ms. Shelly requested a break to consider where they are in the process.

Ms. Shelly said there are now three actions required:

- 1) Consideration of approval for the Development Plan
- 2) Consideration of approval for the Site Plan Waivers
- 3) Consideration of approval for the Site Plan with the nine conditions

She said the Development Plan is recommended for approval by the ART with one condition:

- 1) That the Infrastructure Agreement shall be fully executed prior to approval of building permits.

Ms. Shelly summarized the 10 Waivers requested related to design elements whereby approval is recommended by the ART:

1. §153.062(C) Building Types: the height of the parapets drops.
2. §153.062(C) Building Types: Waiver for parapets that do not wrap all corners and are not continuous along all portions of the roofline.
3. §153.062(E)(2) Transition of Materials: Waiver for locations at an inside corner of rear elevations of A, B, C building types.
4. §153.062(I)(1)(a) Building Types, Balconies, porches, stoops & chimneys  
Waiver for required balcony depths of 6 feet.
5. §153.062(O)(3) 20-foot depth minimum occupied space required on ground story facing a street.
6. §153.062(O)(3). Street Facing transparency - minimum 20%.
7. §153.062(O)(3). Non-street façade transparency - minimum 15%.
8. §153.062(O)(3). Vertical increments required no greater than every 40 feet.
9. §153.062(O)(3). Parking limited to the rear yard, not permitted in the RBZ.
10. §153.062(O)(3). Minimum primary façade material 80%

Ms. Shelly said the Site Plan is recommended for approval by the ART with the following nine conditions:

1. The proposed retaining walls supporting the parking spaces for Buildings 2, 3, 22, 23, & 24 will need to be designed to carry the anticipated loads, engineered and detailed appropriately, including railings and be approved by the City Engineer prior to issuance of building permits;
2. The 3.5 acres located within Block G be rezoned from BSC Public District to BSC Residential District;
3. The façade materials transitions be verified to meet Code as part of the building permitting process;
4. The roof materials be submitted, verified to meet Code and approved as part of the building permitting process;
5. The canopies at the building entrances, materials, mounting and illumination be submitted verified to meet code and approved as part of the building permitting process;
6. The accessory structure details for pool house and maintenance building shall be provided and approved as part of the building permitting process;

7. The applicant submit and have approved by the reviewing body a Master Sign Plan prior to building permitting;
8. The applicant submit plans clarifying stoop dimensions in relationship to the property lines and easements prior to approval of the building permits, and;
9. The applicant shall provide lighting cut sheets, which demonstrate the proposed building entry, step and wall mounted lights meet the stated requirements and limits prior to building permitting.

The Chair invited public comment.

Scott Haring, 3280 Lilly-Mar Court, thanked the applicant for their tenacity. He said as a resident, he is trying to understand the whole impact of the new Zoning Codes. He said he did not have a problem with the general architecture and materials of this application. He remarked on how the Block Length Waiver was disapproved and is pleased that the Code is being honored. He inquired about the public open space, which is the Village Square; he asked if it would be owned by the City.

Claudia Husak said the City would own the central green space and it would be accessible to the entire public.

Mr. Haring said he thought the Clubhouse sounded like a community amenity for the immediate residents. He inquired about the land swap for open space.

Ms. Shelly showed what was approved in the development agreement for the land exchange. She showed the original Sycamore Ridge Park that the City owned and exchanged with the developer for rights-of-way, greenway and open space.

Mr. Haring asked if John Shields Parkway would connect with Sawmill Road.

Jennifer Rauch confirmed that it would connect and would not impact the movie theater.

Mr. Haring asked about a graphic that showed the green arrows facing towards the north of Tuller Road.

Ms. Shelly and Ms. Husak explained the Street Network graphic.

Mr. Haring concluded that he was in favor of granting the applicant's Waivers.

Ms. Newell said most of the questions asked by Mr. Haring are available online and that Staff could guide anyone to that information.

Ms. Newell asked if there was anyone else that wanted to speak with regards to this application. [Hearing none.] She closed the public portion of the meeting.

Ms. Salay said she appreciated all of the explanations received from Staff and the applicant with regard to the Waivers and the materials. She said she was happy that the Boral material was not going to be used because there was no evidence found regarding the longevity of the product. She said she was comfortable with all of the Waivers with the exception of the primary materials Waiver. She said she appreciated the explanation of the variety and such but was uncomfortable as it appears that 15 buildings are not meeting our standard for primary materials. She said she is concerned as this is the first project that the Commission is approving in the BSD and would like the applicant to go back and meet the 80% requirement. She said some of the front facades are at 56%. She said it is difficult to decipher what materials are being used where by viewing the renderings. She said the percentages in the tables do not translate well to the renderings.

Mr. Sullivan said he recognizes the challenge in writing Code and to define in a prescriptive manner something that will assure a desired result. He said he understands this is the first applicant to be approved for a BSD development. He said the difficulty becomes when the Code defines every single façade on a primary elevation when there is a very limited palette of materials available. He said the applicant's limits are masonry. He added the Code requires texture, variation, height of buildings, interest, projections, and shadow line - all the kinds of elements that make architecture interesting. He said all that cannot be accomplished with just masonry because it is a load bearing material, which cannot be cantilevered.

Mr. Sullivan suggested showing several pictures of projects that he has worked on with cementitious siding. He shared 10 photos of built projects where the applicant had used cementitious siding with a high-quality level of installation. Photos included high-end projects in German Village and the City of Columbus. He said he believes it is a quality material when used in detailing in the proper manner. He said it is clearly a secondary material in their application and is used to provide variety and used in locations where a lot of glass is desired. He said where the glass nearly touches the corner of the building the result could not be accomplished with masonry. He indicated cementitious siding allows the applicant a design element. He said his firm tries to practice four-sided architecture. He reported the applicant has provided over 90% masonry on the back of some buildings because the design merited that percentage. He said on some of the smaller buildings where there were major tower elements, or natural character pieces, getting a comfortable proportion of elements was a challenge. He indicated the applicant has achieved almost 79% when the whole project is taken into account and not every single façade, meeting the spirit that the Commission desires.

Mr. Sullivan presented some projects that he had completed with cementitious trim and similar detail to what is being proposed for this project. He said it is difficult to design to a prescription. He said the applicant is setting a high bar for future projects to try and meet.

Mr. Brown asked how much precedent matters as far as legal concerns and allowances for the future.

Phil Hartmann said he was not overly concerned with meeting the required percentages and this project could be used as an example in the future but would not set a legal precedent.

Ms. Newell said the Commission has the Waiver process to begin with. She said the Commission has always acknowledged that the BSD Code was not going to be cookie cutter and fit everywhere. She said the Commission welcomes Waivers. She said the BSD Code is a guide they hope will create the best architecture but it is not realistic to not have any Waivers with this process.

Ms. Newell said the applicant has always proposed a more contemporary building and believes the applicant has tried to marry traditional elements back within the buildings based upon the comments received. She said this is a very balanced appearance to her and thought this design would have the ability to weather through time more than she thought of the initial design. She indicated she has never had an objection over cementitious siding and actually likes it as a great design element to use as an architect. She said she was not nervous about the percentage limitations. She reported that Council has reversed that initial recommendation. As an architect, she said she understands trying to achieve this level of variety. She said the Commission did not want to put constraints that could hinder variety. Ms. Newell said she has been hearing comments leading more towards traditional architecture.

Ms. Salay said that was not true; Council was open to more contemporary architecture. She said projects in the Short North and downtown have used all masonry products and not cementitious materials and we know how that is going to hold up over time and quality will be ensured. She said she is struggling with this and is interested in looking at the individual elevations, reviewing the math, and maybe more of the details than what have been presented just to get comfortable with it as she has to report back to her Council colleagues.

Mr. Sullivan said this design is very consistent with the representation of where the project was when the applicant last met with Council. He said the applicant has refined the details to reflect the evolution of the project.

Ms. Shelly pointed out that the sides of all the buildings and short ends are within 10% of the primary material requirement. She said if all the sides are eliminated, there is a rhythm on every other building. She noted that buildings are at least over 50%.

Ms. Newell inquired about calculations of certain areas.

Mr. Brown said he understands where Council hesitates about cementitious siding but cementitious siding itself is a response to wear and tear of material be it stucco, synthetic stucco, or wood. He reiterated the devil is in the details: like fasteners, are the cavities ventilated, do things dry out in a particular manner. He said he does not know how that would be inspected and hopes the owner is cognizant of it as they would need to replace it. He indicated this material is a responsive reaction to materials that have failed in the past and have been a maintenance issue. He stated the scale, proportions, and Codes are there to mandate good design. He indicated it is the Commission's role to take those Codes and grant Waivers where we think we see that design and the response of the community reflected. He said the applicant tried to do that with the rhythm and the scale and the type and the contemporary buildings can always be debated. He said he appreciates that the project does not look like every other suburban apartment community. He indicated it has the right amount of brick and there is a nice variety. He said for the elevation where the building is over 40 feet wide, again it is the rhythm and the scale of the entire template of the street that he believes is responsive. He indicated sometimes we can get caught up in the math but the math is there to be a means to the end and not the end. He stated he liked the amount of glass and corner apartment units both inside and out. He said the parapets are not necessary, particularly if there are no rooftop units but how they terminate into the building does not look like a whole element as a portion to the building and that is crucial to him. He noted there are a couple of buildings in Old Dublin that do not do that properly and drives him crazy. He concluded the application is responsive to the community and a good effort.

Mr. Sullivan noted the materials on various buildings for Ms. Salay's benefit. Ms. Salay said she had been persuaded. Ms. Newell said the buildings are very well balanced the way they are laid out in terms of form and shape. Ms. Salay said she now understands where the percentage came from and the feel of the building will be more brick.

Deborah Mitchell said there are two issues, one is the look and the other is what the building is made out of. She indicated the look is great and there are a lot of nice things about this project. She said it has a great modernism feel and can see echoes of mid-century in the design. She said she did not think this look could be achieved if it was made out of anything else. She asked if that was true.

Ms. Shelly said Code requires that lighter materials be used going up the side of the building so there would be a conflict with that Code if more brick was used. For future buildings, she asked what that lighter material should be.

Mr. Zimmerman said Ms. Shelly had advised him (with regard to the 80/20 requirement) not to look at the project or each building in the project but rather look down the whole street. He said looking at the architecture from that standpoint for variety, takes on a different look for him. He said if there was more brick the buildings would appear as a solid wall and not have dimension and diversity. He said this is what the Commission was looking for in this corridor and development area as far as diversity. He said granting a Waiver provides a better design look. He concluded he was quite comfortable how the project turned out.

Mr. Sullivan confirmed the windows were single hung windows and proportioned so they read a little more contemporary way as a fixed panel with an awning.

Mr. Zimmerman said he was in the window business. He said he noticed on a visit to Boston, MA that the single hung windows with awnings, when open, provide a different architectural character to the building which leads you to believe something is going on. He indicated this was preferable to a flat glass area from the street perspective.

Ms. Newell said there was some merit to that.

Bob Miller said this is an awesome project and said well done to the design team. He told Staff he was impressed as this was pulled together well and liked how they worked together for this presentation. He said he came in this evening with the same concern Ms. Salay had with the 80% but those fears have been pushed aside. He said he is still concerned about the kitchen window and wondered if there was an architectural detail that could be added to that window to break the width of the building. He said he understands he is trying to visualize it from a drawing and not real life.

Mr. Zimmerman confirmed there are nine-foot ceilings and if the height of the window was increased, a person could not physical reach and unlatch that kitchen window.

Mr. Miller said he was not looking for a different size window, he asked if an architectural piece could be added exteriorly to the window, on either side or above/under the window to break up the width.

Ms. Shelly asked Mr. Miller if he was speaking of a façade articulation or detail.

Mr. Sullivan said the scale/proportion is where it is all about and in too many cases that is not done very well. He said it is important that the windows have a vertical proportion that is required by Code. He said he believes the masonry wall is a counter balance to the corner that is all glass.

Mr. Miller clarified he was not looking for a window change. He said he understands shutters would not be appropriate on this building but asked if there was something else.

Mr. Brown said the large corner elements occur in the secondary areas and would be covered somewhat by street trees.

Ms. Newell clarified the large corner elements do occur on primary streets but a Waiver has been requested to address that transparency issue.

Ms. Shelly confirmed transparency was the reason for a Waiver. She noted Building C on Watson/Tuller, Deardorff/Tuller, and John Shields Parkway.

Mr. Zimmerman suggested a transom.

Ms. Newell pointed out a graphic that showed side elevations that were labeled with blue arrows where there was an issue with transparency and the applicant had requested a variance.

Mr. Brown asked if street trees were required around the perimeter of the large green space.

Ms. Shelly confirmed that the Code requires the street trees and they are the large tree types such as Sycamore trees.

Mr. Brown said when traveling down John Shields Parkway and/or Tuller Ridge Drive, the elevations would be seen through a line of street trees.

Mr. Miller said he did not believe the distance was that far. He said this is a great project and believes the Commission is splitting hairs.

Ms. Mitchell asked if the glass was translucent or regular glass.

Mr. Sullivan said he was sure it would be regular glass and there will be some type of window treatments that will have to be consistent throughout the project. He added, on every single building, the living room is on the corner. He said too often, a bedroom is planned for the corner and the blinds are closed and no activity can be seen. He believes this design will attract people wanting loft character furnishings and thinks they will only close the window treatments when they get a glare from the sun. He said driving down John Shields Parkway, life will be seen.

Ms. Salay inquired about window treatments.

Ms. Newell said she had two minor comments. She thanked the applicant for adding the pavers to the parking areas as it added to the aesthetic. She said along John Shields greenway, where there are permeable pavers between Buildings A & C, the paver abruptly stop and asked why the pavers did not continue to the dumpster locations.

Scott Schaffer, EMH&T, 5500 New Albany Road, said the reason was the topography of the land as the ground slopes from right to left so the water will make it to that end, where the lower spot will be. He explained how the water would drain. He said permeable pavers need to be as flat as possible to serve a purpose.

Ms. Newell inquired about the percentage of the slope.

Mr. Schaffer said he did not know but typically 1 – 2% is desired for permeable pavers, equal to an ADA space. He indicated this is probably more on the order of 3 – 4% but not noticeable.

Ms. Newell said she understood what he was saying. She asked aesthetically if the pavers could be continued.

Mr. Schaffer said it was possible and could explore that as they work with Engineering on the final design.

Ms. Newell inquired about landscaping going behind those buildings; if low shrubbery could be incorporated.

Ms. Shelly said there are some site constraints there because of the slope. She said this is the first condition Staff is requesting that the applicant provide a retaining wall. She explained that our Code Enforcement visits sites and determines the condition of trees and ensures the tree survey is honest. She said the evaluation from that stated there is not a lot of material on that site that is desirable from the City's standpoint and that the City's arborist's preference is to have that scrub material removed. She said the long-term improvements of the site adjacent will improve that area.

Ms. Newell clarified that there has been a lot of landscaping that provided a buffer that is now going to be gone.

Ms. Shelly said the applicant has provided more than the required amount of trees. She explained that the way the Code is written, trees count towards tree replacement and shrubbery and anything of a larger type evergreen shrub does not count, which may not be to our benefit. She suggested entertaining the idea of making some exchanges in that area for more screening.

Ms. Newell said overall she liked the project and appreciated the amount of effort.

Mr. Brown asked what the retaining wall was made of.

Mr. Miller inquired about the expected rental charges for the apartments.

Brent Sobczak, 250 Center Drive, Columbus, Ohio, said one-bedroom apartments would range \$995 to \$1,600 for a two-bedroom apartment. He said there would be an additional \$100 for a garage space. He said the corner units would have a premium to them.

The Chair requested to see the slides for items the Commission needed to vote on for clarity.

Mr. Brown thanked the developer and architect, recognizing it has been a long road and it is the Commission's first stab at a development in this district. He said even after this vote, he asked that feedback be provided to Staff and the Commission on variables. He indicated it is all about the design and the Commission does not want to inhibit too much the ability to design properly to give us the best product available.

The Chair asked if there were any further comments. [Hearing none.]

#### **Motion and Vote**

Ms. Newell moved, Mr. Zimmerman seconded, for a Development Plan approval with one condition. The Chair asked the applicant if they agreed to the one condition:

- 1) That the Infrastructure Agreement shall be fully executed prior to approval of building permits.

The applicant agreed.

The vote was as follows: Mr. Miller, yes; Ms. Salay, yes; Mr. Brown, yes; Ms. Mitchell, yes; Mr. Zimmerman, yes; and Ms. Newell, yes. (Approved 6 – 0)

#### **Motion and Vote**

The Chair asked if there were any concerns from the Commission on any of the five Waivers related to site/Code conditions. [There were none.]

Ms. Newell moved, Mr. Zimmerman seconded, for approval of five Site Waivers related to site/Code conditions:

1. §153.062(O)(3) Street Frontage: request for a waiver for block G and Building 22, due to an existing utility easement along Tuller Ridge Drive.
2. §153.062(O)(3) 1. Street Frontage: request for a waiver for block E and Building 11, due to the existing Tuller Road angle of deviation.
3. §153.061(D)(1)(b) Principal Frontage Streets: Watson and Deardorff Street and McCune Avenue are designated as Principal Frontage Streets. Waive the Front Property Line Coverage percentage for the number of building entrances on PFS, as side elevation and allow accessory structures along a PFS.
4. §153.062(O)(3) Minimum Finish Floor Elevation, 2.5 feet above grade at accessible buildings.



5. §153.062(O)(3). Building Types, Apartment buildings – number of street façade entrances on building's side elevation

The vote was as follows: Ms. Mitchell, yes; Ms. Salay, yes; Mr. Miller, yes; Mr. Brown, yes; Mr. Zimmerman, yes; and Ms. Newell, yes. (Approved 6 – 0)

#### **Motion and Vote**

The Chair asked if there were any concerns from the Commission on any of the 10 Waivers related to design elements. Ms. Salay asked that there be a stipulation that the balconies be finished. Ms. Shelly confirmed she had added it as a condition of the building permitting process. Ms. Salay was satisfied with that condition. Ms. Newell moved, Mr. Brown seconded, approval of 10 Waivers related to design elements:

1. §153.062(C) Building Types: the height of the parapets drops.
2. §153.062(C) Building Types: Waiver for parapets that do not wrap all corners and are not continuous along all portions of the roofline.
3. §153.062(E)(2) Transition of Materials: Waiver for locations at an inside corner of rear elevations of A, B, C building types.
4. §153.062(I)(1)(a) Building Types, Balconies, porches, stoops & chimneys  
Waiver for required balcony depths of 6 feet.
5. §153.062(O)(3) 20-foot depth minimum occupied space required on ground story facing a street.
6. §153.062(O)(3). Street Facing transparency - minimum 20%.
7. §153.062(O)(3). Non-street façade transparency - minimum 15%.
8. §153.062(O)(3). Vertical increments required no greater than every 40 feet.
9. §153.062(O)(3). Parking limited to the rear yard, not permitted in the RBZ.
10. §153.062(O)(3). Minimum primary façade material 80%

The vote was as follows: Ms. Salay, yes; Mr. Zimmerman, yes; Ms. Mitchell, yes; Mr. Miller, yes; Mr. Brown, yes; and Ms. Newell, yes. (Approved 6 – 0)

#### **Motion and Vote**

Ms. Newell moved, Mr. Zimmerman seconded, for Site Plan approval with 10 conditions:

1. The proposed retaining walls supporting the parking spaces for Buildings 2, 3, 22, 23, & 24 will need to be designed to carry the anticipated loads, engineered and detailed appropriately, including railings and be approved by the City Engineer prior to issuance of building permits;
2. The 3.5 acres located within Block G be rezoned from BSC Public District to BSC Residential District;
3. The façade materials transitions be verified to meet Code as part of the building permitting process;
4. The roof materials be submitted, verified to meet Code and approved as part of the building permitting process;
5. The canopies at the building entrances, materials, mounting and illumination be submitted verified to meet code and approved as part of the building permitting process;

6. The accessory structure details for pool house and maintenance building shall be provided and approved as part of the building permitting process.
7. The applicant submit and have approved by the reviewing body a Master Sign Plan prior to building permitting;
8. The applicant submit plans clarifying stoop dimensions in relationship to the property lines and easements prior to approval of the building permits;
9. The applicant shall provide lighting cut sheets which demonstrate the proposed building entry, step and wall mounted lights meet the stated requirements and limits prior to building permitting; and
10. Balcony ceiling/floor finish materials will be reviewed and revised to address the PZC concerns regarding aesthetics & permeability, as part of the building permitting process.

The Chair asked the applicant if they were in agreement with the 10 conditions. The applicant affirmed they were in agreement.

The vote was as follows: Mr. Brown, yes; Ms. Mitchell, yes; Ms. Salay, yes; Mr. Miller, yes; Mr. Zimmerman, yes; and Ms. Newell, yes. (Approved 6 – 0)

**4. BSD Residential District – Tuller Flats  
15-013PP/FP**

**4313 Tuller Road  
Preliminary Plat – Final Plat**

The Chair said this application is a request to subdivide a 20.44-acre site for new public streets and 14 blocks for development for a new multiple-family development and open space on the south side of Tuller Road, east of Tuller Ridge Drive. She said this is a request for review and recommendation of approval to City Council of a Preliminary and Final Plat under the provisions of the Subdivision Regulations (Chapter 152 of the Dublin Code of Ordinances).

Jennifer Rauch said approval was recommended with one condition:

- 1) That the applicant ensure any minor technical adjustments and other adjustments are made prior to final review by City Council.

**Motion and Vote**

Ms. Newell moved, Ms. Salay seconded, to recommend approval of the Preliminary Plat and Final Plat with one condition to be forwarded to City Council. The vote was as follows: Mr. Zimmerman, yes; Mr. Brown, yes; Mr. Miller, yes; Ms. Mitchell, yes; Ms. Salay, yes; and Ms. Newell, yes. (Approved 6 – 0)

**Communications**

Claudia Husak said there is a regular meeting scheduled for applications to be reviewed on March 26, 2015.

The Chair adjourned the meeting at 9:12 p.m.

As approved by the Planning and Zoning Commission on April 2, 2015.